



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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August 9, 2007

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

Comments have been received from the Department of Transportation, dated August 8, 2007. A copy of the comments is attached for your review.

SDP/laf

Enclosure

c: Council Members



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

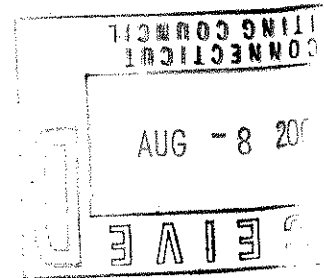
2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone:



Mr. S. Derek Phelps
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

AUG 08 2007



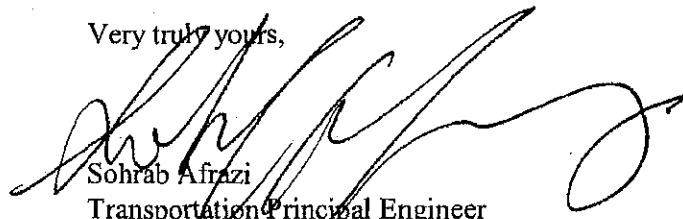
Dear Mr. Phelps:

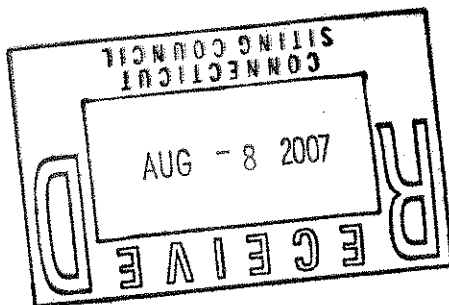
Subject: Petition 809
Distributed Antenna System
Towns of Greenwich, Stamford, New Canaan, Norwalk, and
Westport

The Department of Transportation has solicited for comments on the above-mentioned Petition. Attached is a copy of the comments.

Should you have any questions regarding the comment, Please contact, Mr. Gregg Hendrickson, Utility Engineer (Utilities), @ (860) 594-3264.

Very truly yours,


Sohrab Afrazi
Transportation Principal Engineer
Bureau of Engineering and Highway Operations



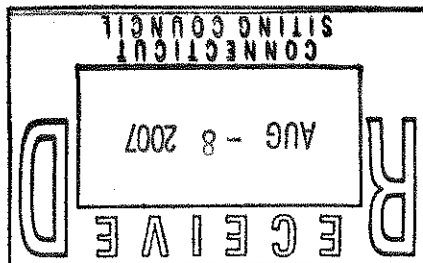
STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

2800 Berlin Turnpike
P.O.Box 317456, Rm. 3214
Newington, CT. 06131-7546

RE: **PETITION No. 809** - Extenet System, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

The Connecticut Department of Transportation (Conn D.O.T.) has reviewed the above mentioned Petition and has the Following comments.

- 1) Node #25-mid-span antenna should be no lower than the lowest existing utility wire at the utility crossing.
- 2) The proposal to install a new wooden pole along side the Den Road exit ramp within the Merritt Parkway non- access line is unacceptable. Conn D.O.T. may approve the installation in this general area as long as the pole is located immediately adjacent to the non-access line. Further all access for construction, maintenance, and ultimate removal must be from the adjacent property and not within the non-access highway. If the installation of a pole located adjacent to the non-access line is ultimately approved by ConnDOT; the applicant will be required to enter into a Master License Agreement (MLA) with ConnD.O.T. A copy of the MLA may be obtained on the Connecticut Siting Council website.
- 3) The applicant must obtain an encroachment permit pursuant to the regulations of Connecticut State Agencies, section 13b-17-1 and sequence, prior to performing any work within any state highway. The district 3 Permit Office will need to review a complete set of construction plans which shows all proposed work within the highway prior to issuing an encroachment permit.
- 4) No vegetative matter shall be removed for the installation of any equipment associated with the installation of the Distributed Antenna System without prior review and approval from the Merritt Parkway Advisory Committee.
- 5) Equipment should not block visibility to any signs. A minimum of 800 feet of unobstructed view to signs shall be maintained.
- 6) The proposed installations shall be presented to the Merritt Parkway Advisory Committee.



LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Extenet Systems, Inc.	Julie D. Kohler, Esq. Carrie L. Larson, Esq. Cohen & Wolf, P.C. 1115 Broad Street P.O. Box 1821 Bridgeport, CT 06601-1821 (203) 337-4157 (203) 394-9901 fax jkohler@cohenandwolf.com clarson@cohenandwolf.com
Intervenor (granted 05/22/07)	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com
Intervenor (granted 05/22/07)	Merritt Parkway Conservancy	Merritt Parkway Conservancy c/o Karen Salerno, Executive Director P.O. Box 17072 Stamford, CT 06907 (203) 661-3255 (no fax) karensalerno@merrittparkway.org
Intervenor (granted 05/22/07)	Omnipoint Communications, Inc. A subsidiary of T-Mobile USA, Inc.	Diane W. Whitney Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4330 dwhitney@pullcom.com

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SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Intervenor (granted 05/22/07)	Elizabeth Galt Clifford Berger	Ira W. Bloom, Esq. Wake, See, Dimes, Bryniczka, Day & Bloom 27 Imperial Avenue Westport, CT 06880 (203) 227-9545 (203) 227-2443 fax ibloom@wsdb.com
Intervenor (granted 05/22/07)	New Cingular Wireless PCS, LLC d/b/a AT&T	Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-6405 fax cfisher@cuddyfeder.com
Intervenor (granted 06/07/07)	National Grid Communications, Inc.	Stephen J. Humes, Esq. McCarter & English, L.L.P. 185 Asylum Street, CityPlace I Hartford, CT 06103 (860) 275-6761 (860) 560-5955 fax shumes@mccarter.com
Intervenor (granted 07/26/07)	Sprint Nextel Corporation	Thomas J. Regan, Esq. Brown Rudnick Berlack Israels LLP 185 Asylum Street, CityPlace I Hartford, CT 06103-3402 (860) 509-6500 (860) 509-6501 fax tregan@brownrudnick.com